

**\*E-FILED: August 8, 2012\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TRIEU PHAM,

No. C12-01750 HRL

Plaintiff,

**ORDER TO SHOW CAUSE WHY THIS  
ACTION SHOULD NOT BE DISMISSED**

v.

CITY OF SAN JOSE, a municipality; SAN  
JOSE POLICE DEPARTMENT, a department  
of municipality; OFFICER HERNANDEZ, an  
individual; SGT. MONTONYE, an individual;  
and DOES 1-20,

Defendants.

On April 4, 2012, pro se plaintiff Trieu Pham filed this action for alleged civil rights violations. There is no indication that defendants have been served, and the deadline for service has passed. FED. R. CIV. P. 4(m). On July 5, 2012, the court issued a clerk's notice continuing the date for the initial case management conference and related deadlines. (Dkt. No. 4). On July 10, 2012, that notice was returned to the court as undeliverable.<sup>1</sup> (Dkt. No. 5). Plaintiff did not appear for the August 7, 2012 initial case management conference. There has been no other activity on the docket since the complaint was filed.

<sup>1</sup> Plaintiff has until September 10, 2012 to provide the court with a current mailing address. CIV. L.R. 3-11. In any event, the ECF system indicates that plaintiff may be receiving electronic notices of all court filings.

1 Accordingly, no later than **August 24, 2012**, plaintiff shall file a response to this order,  
2 explaining why this case should not be dismissed for failure to prosecute. Plaintiff is advised  
3 that the failure to file a response as directed will be considered additional ground for dismissal.

4 SO ORDERED.

5 Dated: August 8, 2012

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HOWARD R. LOYD  
UNITED STATES MAGISTRATE JUDGE

**United States District Court**  
For the Northern District of California

5:12-cv-01750-HRL Notice has been electronically mailed to:

Trieu Pham  
181 Ivy Hill Way  
Los Gatos, CA 95032